

AMENDED IN ASSEMBLY MAY 21, 2001

AMENDED IN ASSEMBLY MAY 1, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 741

Introduced by Assembly Member Firebaugh

February 22, 2001

An act to amend Section 315 of the Education Code, relating to language instruction.

LEGISLATIVE COUNSEL'S DIGEST

AB 741, as amended, Firebaugh. English language instruction.

Existing law, enacted at the June 2, 1998, primary election by Proposition 227, an initiative measure, appropriates \$50,000,000 commencing with the fiscal year in which the initiative was enacted and for each of the 9 fiscal years following thereafter, from the General Fund for the purpose of providing additional funding for free or subsidized programs of adult English language instruction to parents or other members of the community who pledge to provide personal English language tutoring to California school children with limited English proficiency.

This bill would make that appropriation also available for ~~staff development for English immersion teachers, as specified;~~ instructional materials *for English language learners*, with an English language development component; for pupils ~~in structured English immersion classes;~~ instructional time ~~that is in addition to the regular instructional day for pupils attempting to learn English sufficiently well within one year to succeed in regular classes the next year and to become~~

~~classified as proficient in English; and adults who participate in that tutoring program; for supplemental tutoring of English language learners in English language development and other courses required for grade level promotion and graduation, by teachers who meet certain requirements; and for English language tutoring by tutors who are already fluent in English; and would prescribe related matters.~~

The bill would require, commencing in the 2001–02 fiscal year and every 2 years thereafter, that of the amount appropriated for the purpose of providing those free or subsidized programs, \$500,000 be allocated to the Superintendent of Public Instruction for the purpose of evaluating the program, and would require the Superintendent of Public Instruction to conduct that evaluation and submit the results of that evaluation to the Governor and the Legislature.

The initiative measure provides that its provisions may be amended by a statute to further the act's purpose passed by a $\frac{2}{3}$ vote of each house of the Legislature and signed by the Governor.

This bill, in conformance with those requirements, would declare that its provisions further the purpose of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 315 of the Education Code is amended
- 2 to read:
- 3 315. (a) In furtherance of its constitutional and legal
- 4 requirement to offer special language assistance to children
- 5 coming from backgrounds of limited English proficiency, the state
- 6 shall encourage family members and others to provide personal
- 7 English language tutoring to such children, and support these
- 8 efforts by raising the general level of English language knowledge
- 9 in the community.
- 10 (b) Commencing with the fiscal year in which this initiative is
- 11 enacted and for each of the nine fiscal years following thereafter,
- 12 a sum of fifty million dollars (\$50,000,000) per year is hereby
- 13 appropriated from the General Fund to the Superintendent of
- 14 Public Instruction for the purpose of providing additional funding
- 15 for any of the following:
- 16 (1) Free or subsidized programs of adult English language
- 17 instruction *and training in tutoring skills* to parents or other



1 members of the community who pledge to provide personal
2 English language tutoring to California school children with
3 limited English proficiency.

4 ~~(2) Staff development for English immersion teachers,~~
5 ~~including, but not limited to, instruction in the English language~~
6 ~~development standards developed pursuant to Section 60811, and~~
7 ~~the English language arts standards developed for the core~~
8 ~~curriculum areas of reading and writing pursuant to Section~~
9 ~~60605.~~

10 *(2) Supplemental tutoring of English language learners in*
11 *English language development and other courses required for*
12 *grade level promotion and graduation, by teachers who hold an*
13 *appropriate credential or certificate from the Commission on*
14 *Teacher Credentialing, that authorizes instruction for English*
15 *language learners.*

16 *(3) Instructional materials for English language learners, with*
17 *an English language development component, for pupils in*
18 *structured English immersion classes and adults who participate*
19 *in the tutoring program conducted pursuant to this section.*

20 ~~(4) Instructional time that is in addition to the regular~~
21 ~~instructional day for pupils attempting to learn English sufficiently~~
22 ~~well within one year to succeed in regular classes the next year and~~
23 ~~to become classified as proficient in English pursuant to Section~~
24 ~~313. This instruction shall be provided by persons who are~~
25 ~~credentialed pursuant to Sections 44253.7, 44253.5, and~~
26 ~~44253.10, or by persons holding the appropriate authorization to~~
27 ~~teach limited-English-proficient pupils.~~

28 ~~(5)~~

29 *(4) English language tutoring by tutors who are already fluent*
30 *in English.*

31 *(c) Commencing in fiscal year 2001–02, and every two years*
32 *thereafter, of the amount appropriated for the purposes of this*
33 *section by subdivision (a), five hundred thousand dollars*
34 *(\$500,000) shall be allocated to the Superintendent of Public*
35 *Instruction for the purpose of evaluating the program conducted*
36 *pursuant to this section. The Superintendent of Public Instruction*
37 *shall, commencing in fiscal year 2001–02 and every two years*
38 *thereafter, evaluate the effectiveness of the activities carried out*
39 *pursuant to this section and shall submit the results of that*
40 *evaluation to the Governor and the Legislature.*

1 SEC. 2. The Legislature finds and declares that, by
2 authorizing the expenditure of funds in accordance with the intent
3 of the people that all children in California public schools be taught
4 English as rapidly and effectively as possible, the provisions of this
5 act further the purposes of Chapter 3 (commencing with Section
6 300) of Part 1 of the Education Code, which was enacted by
7 Proposition 227, an initiative measure, at the June 2, 1998, primary
8 election.

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